THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.20399 of 2004

Dated: 03.08.2006

Between
G.Sambamma

…..Petitioner

and

1. The Joint Collector, (CS)
Machilipatnam and others.

….Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.20399 of 2004

ORDER:

This writ petition is filed seeking a Mandamus to declare the impugned proceedings No.Rc.A.7/2289/2004 dated 27.10.2004 of the 2nd respondent as illegal and arbitrary.

Under the impugned proceedings, the fair price shop dealership of the petitioner for Edupugallu village, Kaknikapadu Mandal was sought to be suspended by the Sub Collector, Vijayawada.

At the time of admission of the writ petition on 23.11.2004 , in WPMP No.26694 of 2004, this Court suspended the impugned order and directed the respondents to permit the petitioner to function as fair price shop dealer by supplying essential commodities, on usual terms, until further orders.

Though no counter is filed, the learned Government Pleader, on instructions, submits that till date the enquiry initiated pursuant to the impugned order has not yet been completed.

There is no necessity to go into all the details since the impugned order is said to have been passed without issuing any notice to the petitioner. The interim order granted on 23.11.2004 shall be treated as final order in the writ petition. The writ petition is accordingly allowed. However, the respondents are at liberty to conduct a detailed enquiry into the allegations made in the impugned order and pass appropriate orders as per law, after

putting the petitioner on notice and hearing him personally. No costs.

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03.08.2006

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